



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,393	02/27/2004	Shuji Yamashita	15115/106001	4915
22511	7590	02/28/2006	EXAMINER	
OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010			LABBEES, EDNY	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/789,393	YAMASHITA ET AL.	
	Examiner	Art Unit	
	Edny Labbees	2632	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 1 and 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/26/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The first three lines of claims 1 and 2 do not corresponds to what the applicant is disclosing. Examiner interprets the first three lines as follows: A vehicle remote control system comprising: a mobile unit carried by a driver. A vehicle unit mounted on a vehicle. The vehicle unit comprises a plurality of transmission antennas.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant fails to clarify what dummy signals are and what signals are considered not dummy signals.

4. Regarding claims 4 and 6, the phrase "mainly" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

5. Claims 1 and 2 recites the limitation "the individual response" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hara (EP 1 184 236 A2) in view of Ueda et al. (US 6,924,735).

Regarding Claim 1, Hara discloses *Radio System* that has the following claimed limitations:

Claimed mobile unit is met by portable device (10); claimed vehicle unit is met by stationary device (21); claimed vehicle unit having a plurality of transmission antennas is met by the stationary device (21) having a plurality of antennas (See Fig. 1A and paras [0012]); claimed mobile unit receiving signals transmitted from at least one of the transmission antennas to measure the reception intensities and then transmitting the data to the vehicle unit is met by the portable device (10) receiving first signals from the stationary device (21) and determining a position of the portable device (10) by using reception intensity data of the first signals. The portable device (10) then sends a second signal representative of the result of the position determination back to the

stationary device (21) (see paras [0012 0013]); claimed vehicle unit locating the mobile unit based on the reception intensity data transmitted from the mobile unit is met by the stationary device determining the position of the portable device (10) using the intensity data (see paras [0012]). Hara does not disclose the mobile unit sequentially receiving signals transmitted from at least one of the transmission antennas. However, Ueda discloses *Automatic Vehicle Door Locking/Unlocking Apparatus* that teaches a system where a vehicle-mounted unit (16) comprising of a plurality of LF transmitter antennas (44, 46, 48 50). The intravehicular LF transmits requests sequentially (see Col. 13 Ins 53-67 and Col. 14 Ins 1-24). Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Ueda into the system of Hara so that measuring the intensity of receptions can be distinguished. If all the signals were sent at once, one cannot distinguish which measurement intensity data corresponds to what antenna, unless one uses more expensive means to determine that data.

Regarding Claim 2, the claim is interpreted and rejected as claim 1 stated above.

Regarding Claim 4, the claimed limitation of dummy signals measuring the reception intensities of the mobile unit is met by the art rejection of claim 1 where the mobile unit measures the reception intensities.

Regarding Claim 6, the claim is interpreted and rejected as claim 4 stated above.

8. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hara and Ueda et al. further in view of Okada (US 6,538,559).

Regarding Claim 3, Hara discloses a smart entry system where operations of the smart entry system, such as locking and unlocking of vehicle doors are performed when the user approaches the door(s). However Hara and Ueda do not specifically disclose a system where the arbitrary processing of opening a trunk is performed when the user approaches the trunk side of the vehicle. Okada discloses *Remote Control Apparatus And Remote Control Method* that teaches a system where as the user approaches the trunk portion of the vehicle, the trunk button (19) is then operable and thus can be used (see Col. 5 Ins 40-55 and Col. 6 Ins 13-22). Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Okada into the systems of Hara and Ueda to provide the operation of a trunk in addition to the operation of the vehicle doors or engine when the user approaches it.

Regarding Claim 5, the claim is interpreted and rejected as claim 3 stated above.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Juzswik, *System And Method For Automatic Function...* (US 6,801,134)

Stippler, *AntiTheft Device For A Motor Vehicle And Method...* (US 6,218,932)

Chandebois, *Method And Device For Automatically Locking...* (US 6,853,296)

Amano, *Keyless Entry System*, (US 5,835,022)

Okada, *Vehicle Automatic Door-Locking System Using...* (US 6,476,517)

Kumano, *Keyless Entry System For Vehicle* (US 6,621,406)

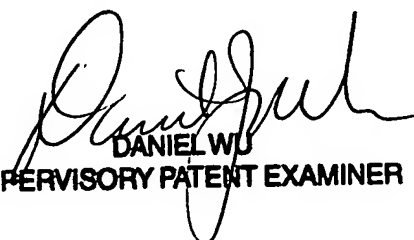
Rohri, Access Control Device For A Motor Vehicle And Method... (US 6,556,125)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edny Labbees whose telephone number is (571) 272-2793. The examiner can normally be reached on M-F: 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edny Labbees
1/15/2006


DANIEL WU
SUPERVISORY PATENT EXAMINER
02/21/06